

ORIGINAL

FILED IN OPEN COURT
U.S.D.C. - Atlanta

SEP 15 2021

KEVIN P. WEIMER, Clerk
By: *[Signature]* Deputy Clerk

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

UNITED STATES OF AMERICA

v.

JOEL CHRISTIAN BERRY

Criminal Indictment

No. **1 : 21 CR - 367**

THE GRAND JURY CHARGES THAT:

Count One

On or about July 26, 2021, in the Northern District of Georgia, the defendant, JOEL CHRISTIAN BERRY, knowingly possessed at least one machinegun, as defined in Title 18, United States Code, Section 921(a)(23), and Title 26, United States Code, Section 5845(b), including at least one machinegun conversion device for a Glock handgun, in violation of Title 18, United States Code, Sections 922(o)(1) and 924(a)(2).

Count Two

On or about August 12, 2021, in the Northern District of Georgia, the defendant, JOEL CHRISTIAN BERRY, did knowingly possess a firearm, as that term is defined in Title 26, United States Code, Sections 5845(a)(3) and (c), that is, a Palmetto State Armory, PA-15, a rifle having a barrel of less than 16 inches in length, and which was not registered to him in the National Firearms Registration and Transfer Record, all in violation of Title 26, United States Code, Sections 5841, 5845(a)(3) and (c), 5861(d), and 5871.

Forfeiture

Upon conviction of the offense alleged in Count One of this Indictment, the defendant, JOEL CHRISTIAN BERRY, shall forfeit to the United States of America, pursuant to Title 18, United States Code, Section 924(d)(1) and Title 28, United States Code, Section 2461(c), any firearms and ammunition involved in or used in the commission of the offense, including, but not limited to:

- one machinegun conversion device for a Glock handgun (Asset ID 21-ATF-029786)

Upon conviction of the offense alleged in Count Two of this Indictment, the defendant, JOEL CHRISTIAN BERRY, shall forfeit to the United States of America, pursuant to Title 26, United States Code, Section 5872(a) and Title 28, United States Code, Section 2461(c), any firearms and ammunition involved in or used in the commission of the offense, including, but not limited to:

- one Palmetto State Armory, PA-15 rifle, bearing serial number SCB100369 (Asset ID 21-ATF-029532).

If any of the property described above, as a result of any act or omission of the defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without difficulty;

the United States intends, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of said defendant up to the value of the forfeitable property.

A True BILL
JCP
FOREPERSON

KURT R. ERSKINE
Acting United States Attorney

Amy M. Palumbo
AMY M. PALUMBO
Assistant United States Attorney
Provisionally admitted pursuant
to Local Rule 83.1

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